IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

C.R. No. 1175 of 2006 (O&M)
Date of Decision : 17.11.2007

Ravi Kant

.....Petitioner

Versus

Roop Lal and another.

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr.Anuj Raura, Advocate
for the petitioner.

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VINOD K. SHARMA, J. (ORAL)

C.M. No. 3878-CII of 2007

For the reasons stated in the application, the order dated 13.11.2006 is recalled and the case is restored to its original number.

C.M. stands allowed.

C.R. No. 1175 of 2006

This revision petition has been filed against the order passed by the learned Motor Accident Claims Tribunal, Chandigarh vide which application moved by the petitioner for amending the claim petition to reduce the income below to Rs. 40,000/- (Rupees forty thousand only), has been ordered to be dismissed.

In a motor accident claim case filed, the petitioner claimed that monthly income Rs. 8310/- (Rupees eight thousand three hundred and ten only), was being drawn by him as salary. Subsequently, he wanted to reduce his income on the plea that due to his accident his earning capacity has reduced and, therefore, his income has become less than Rs.

40,000/- (Rupees forty thousand only). However, no specific income has been disclosed.

Be that as it may, the Motor Accident Claims Tribunal came to the conclusion that the salary was to be seen on the date of accident and any reduction in earning capacity was a ground for grant of compensation. The order passed by the learned Motor Accident Claims Tribunal is in consonance with the law laid down by this Court in the case of ***Gurmeet Singh Vs. Chandigarh Transport Undertaking & Ors. 2007(2) RCR(Civil) 21***, and therefore, calls for no interference by this Court.

No merit.

Dismissed.

17.11.2007 **(VINOD K. SHARMA)**
'sp' **JUDGE**